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**Filed** : June 20, 2003

### **REMARKS**

By way of summary, Claims 1-20 were originally filed in the present application. Claims 1-25 are now pending in the present application, Claims 1, 11, 12, 18 and 20 having been amended, and new Claims 21-25 having been added. The claims set forth above include marking to show the changes made by way of the present amendment, deletions being in ~~strikeout~~ (e.g., ~~strikeout~~) and additions being underlined (e.g., underlined).

Claims 11 and 20 have been amended to put the claims in better form for examination. The claim amendments are not related to patentability.

### **Information Disclosure Statement**

U.S. Patent Nos. 220,836, 232,374, 253,557 do not correspond to the names and dates listed the previously filed PTO-1449 form. The PTO-1449 form filed with an information disclosure statement in this Application on October 24, 2003, incorrectly listed Canadian Patent Nos. 220,836, 232,374, and 253,557 in the section with the heading "U.S. Patent Documents." These references are correctly listed in the section with the heading "Foreign Patent Documents" in a corrected PTO-1449 form submitted herewith. Applicants believe that copies of the Canadian Patent Nos. 220,836, 232,374, and 253,557 were submitted with the October 24, 2003 information disclosure statement based on the transmittal, Information Disclosure Statement and postcard. Nevertheless, copies of these references are resubmitted herewith in a supplemental Information Disclosure Statement for consideration by the Examiner.

### **Claims 1-3, 5, 7, 8 and 10 Are Allowable Over Metheny**

Claims 1-3, 5, 7, 8, and 10 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,040,818 issued to Metheny. Applicants respectfully disagree with the characterization of the reference set forth in the Office Action and with the rejection of original Claims 1-3, 5, 7, 8, and 10. Nevertheless, to expedite the issuance of the other pending claims, Applicants have amended Claim 1 to more clearly distinguish this claim over Metheny. Applicants reserve the right to pursue at a later date a claim similar to the original claim through a continuation application.

Metheny does not disclose each and every limitation of amended Claim 1. For example, Claim 1 recites, among other things, that the glide member is wider than a portion of the wear bar

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next to the glide member. The Examiner cites an element 116 as being a guide member. However, the insert 116 of Metheny is not guide member that is wider than a portion of the wear bar next to the glide member. Hence, Applicants respectfully submit that Claim 1 is patentability distinguished over Metheny, and Applicants respectfully request allowance of Claim 1.

Claims 2, 3, 5, 7, 8, and 10 depend from Claim 1 and further define the invention defined in Claim 1. For at least the reasons set forth above with respect to Claim 1, Applicants respectfully submit that Claims 2, 3, 5, 7, 8, and 10 are patentably distinguished over Metheny.

### **Cited Combinations of References Do Not Render Claims 1-20 Obvious**

While Applicants respectfully disagree with the grounds for the rejections, Applicants have amended Claims 1, 12, and 18 to more clearly distinguish these claims over the prior art in order to advance the application to issuance. Applicants reserve the right to pursue at a later date claims similar to the original claims through a continuation application.

#### **Combination of Berto/Leonawicz Does Not Render Claims 1-3, 5, 7, and 18-20 Obvious**

Claims 1-3, 5, 7, and 18-20 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,443,278 to Berto in view of U.S. Patent No. 3,605,926 to Leonawicz. In view of the following, Applicants respectfully submit that the claims are in condition for allowance.

The cited references, either individually or in combination, do not teach or suggest the unique combination of limitations recited by amended Claim 1. Amended Claim 1 recites, among other things, that the entire glide member is disposed either forward or rearward of the bracket pivot point.

The Examiner cites element 14 of Leonawicz as a guide member. Even assuming *arguendo* that the Berto ski can be modified with the auxiliary runner 14 of Leonawicz and some motivation exists to do so, the entire auxiliary runner 14 of Leonawicz is not disposed either forward or rearward of the bracket pivot point. Thus, the combination set forth in the Office Action does not contain each and every limitation of Claim 1.

Dependent Claims 2, 3, 5, and 7 depend from independent Claim 1 and are allowable as depending from an allowable base claim, as well as for novel and non-obvious combination of elements recited therein.

Amended Claim 18 recites, among other things, that said means is positioned entirely either forward or rearward of the bracket pivot point. Applicants respectfully submit that the

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prior art of record, either individually or in combination, does not teach or suggest the unique combination of limitations recited by amended Claim 18. Dependent Claims 19 and 20 depend from independent Claim 18 and are allowable as depending from an allowable base claim, as well as for novel and non-obvious combination of elements recited therein.

Combination of Olson/Berto Does Not Render Claims 1-3, 5, 6, 8, and 12-17 Obvious

Claims 1-3, 5, 6, 8, and 12-17 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,040,818 to Olson in view of Berto. In view of the following, Applicants respectfully submit that the claims are in condition for allowance.

Applicants respectfully submit that the prior art of record, either individually or in combination, does not teach or suggest the unique combination of limitations recited by amended Claim 1. Amended Claim 1 recites, among other things, that the glide member is wider than a portion of the wear bar next to the glide member. The Examiner cites element 56 of Olson as a guide member. In contrast to Claim 1, the hardened material 56 of Olson is not a glide member that is wider than a portion of a wear bar next to the glide member. Berto does not teach or suggest the deficiencies of Olson. Hence, the cited references do not teach or suggest the each and every limitation of Claim 1.

Dependent Claims 2, 3, 5, 6, and 8 depend from independent Claim 1 and are allowable as depending from an allowable base claim, as well as for novel and non-obvious combination of elements recited therein.

Applicants respectfully submit that the cited references, either individually or in combination, do not teach or suggest the unique combination of limitations recited by amended Claim 12. Amended Claim 12 recites, among other things, that the glide member is wider than a portion of the wear bar next to the glide member. Neither Berto nor Olson teach or suggest this limitation. Dependent Claims 13-17 depend from independent Claim 12 and are allowable as depending from an allowable base claim, as well as for novel and non-obvious combination of elements recited therein.

Cited References Do Not Render Claims 4, 9, and 11 Obvious

Claims 4 and 9 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Metheny. Claim 11 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Berto and Leonawicz and further in view of U.S. Patent No. 5,334,168 to Olson. Dependent Claims 4, 9, and 11 are

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allowable as depending from an allowable base claim, as well as for novel and non-obvious combination of elements recited therein.

**New Claims**

Claims 21-25 have been added. These claims are fully supported by the application as filed. Accordingly, no new matter has been added by this amendment. Consideration of new Claims 21-25 is respectfully requested.

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### Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

Any remarks in support of patentability of one claim should not be imputed to any other claim, even if similar terminology is used. Any remarks referring to only a portion of a claim should not be understood to base patentability on solely that portion; rather, patentability must rest on each claim taken as a whole. Applicants have not presented arguments concerning whether the applied references can be properly combined in view of the clearly missing elements noted above, and Applicants reserve the right to later contest whether a proper motivation and suggestion exists to combine these references, taking into account the disclosure in the applied references that teaches away from the combination made in the pending Office Action.

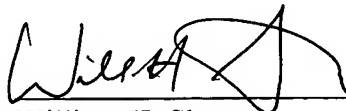
The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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